

No. 54
STATE OF MICHIGAN
Journal of the Senate
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REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, June 15, 2011.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—excused

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young— present

Minister Patrick Medlock of Northwest Church of God in Christ of Detroit offered the following invocation:

Dear God, You said once in Your word that if Your people who are called by Your name will humble themselves and pray and seek Your face and turn from their wicked ways, then You will hear from heaven, will forgive their sin, and will heal their land. Now Your eyes will be open and Your ears attentive to the prayer offered in this place.

Well, God, we need You today. We need You more than ever. We need You to keep Detroit and Lansing and the entire state of Michigan in the palm of Your mighty hand. Help us to put our status as children of God before our ethnicity and as Your servants before any party affiliation.

Please hear our voices crying from the wilderness of sin, corruption, crime, destitution, and pestilence. Please provide the balm to heal us from our moralizing attitudes, reposition us from our adversarial bents, and calm us of our divisive spirits.

Please be with President Obama and Governor Snyder. Please bless the Michigan House and this august body, the Michigan Senate. Please bless the county commissioners and city councils in the state as they carry out their legislative duties. Please bless the superintendents and school boards in the roles that they are currently slated to play in educating our children. Please be with the courts on all levels. Please be with Mayor Bing and his counterparts throughout the state.

Dear God, we ask that You give all these individuals and groups the needed energy, spiritual discernment, commitment, wisdom, consistency, caring, and courage to make hard decisions with scarce resources in less than ideal conditions among competing priorities. But we have faith that is hoped for and the conviction that is unseen, Almighty God, that You can help them all make the grade.

Finally, bless our neighborhoods. Help them to be organized in community associations for perpetual goodwill and galvanized at appropriate times to do Your bidding, Lord. Please help the helpers such as those who assist the mentally ill and others like them. Allow bodies like this to realize their worth and value. Help us as citizens to make good decisions at the polls, and take better direction in our homes.

All salvation and glory and power belongs to You, God. So at this time, in the name of the God who died for us, in a unison chorus, let us all say amen.

The President pro tempore, Senator Schuitmaker, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator Kowall entered the Senate Chamber.

Senator Hunter moved that Senators Johnson, Young and Smith be temporarily excused from today's session. The motion prevailed.

Senator Meekhof moved that Senators Pappageorge, Pavlov and Richardville be temporarily excused from today's session. The motion prevailed.

Senator Meekhof moved that Senator Hildenbrand be excused from today's session. The motion prevailed.

Senators Pavlov, Pappageorge, Johnson and Young entered the Senate Chamber.

Senator Meekhof moved that rule 3.902 be suspended to allow the guest of Senator Pavlov admittance to the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:08 a.m.

11:29 a.m.

The Senate was called to order by the President pro tempore, Senator Schuitmaker.

During the recess, Senators Richardville and Smith entered the Senate Chamber.

Senator Meekhof moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 398

The motion prevailed, a majority of the members serving voting therefor.

The following communication was received:
State Officers Compensation Commission

June 6, 2011

As statutorily designated Secretary to the State Officers Compensation Commission, I hereby submit the Commission's 2011 report and determinations. The report was filed today with the Clerk of the House of Representatives, and the Director of the Department of Technology, Management and Budget, pursuant to law.

Copies of the report are also being provided to the Governor, Lieutenant Governor, Justices of the Supreme Court, members of the Legislature, Attorney General, and Secretary of State, in accordance with Act 357 of 1968 as amended.

Sincerely,
Jeremy S. Stephens
State Personnel Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 14:
House Bill Nos. 4553 4584 4666

Messages from the Governor

The following messages from the Governor were received and read:

June 3, 2011

I respectfully submit to the Senate the following appointment to office:

Governor's Traffic Safety Advisory Commission

David E. Stamm of 7126 McCandlish Road, Grand Blanc, Michigan 48439, county of Genesee, representing local units of government, is reappointed for a term expiring May 27, 2014.

June 3, 2011

I respectfully submit to the Senate the following appointment to office:

Manufactured Housing Commission

Creighton J. Weber of 5340 Hollow Drive, Bloomfield Hills, Michigan 48302, county of Oakland, representing financial institutions, succeeding Thomas C. Leduc, is appointed for a term expiring May 9, 2014.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Gleason as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Hansen, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 381, entitled

A bill to establish the special Olympics Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

Senate Bill No. 382, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 235, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2004 PA 214.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 138, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 398, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 3205e (MCL 600.3204 and 600.3205e), section 3204 as amended by 2009 PA 29 and section 3205e as added by 2009 PA 31.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

Senator Meekhof moved that rule 3.902 be suspended to allow the guest of Senator Emmons admittance to the Senate floor.

The motion prevailed, a majority of the members serving voting therefor.

Resolutions

Senator Meekhof moved that consideration of the following resolutions be postponed for today:

Senate Resolution No. 34**House Concurrent Resolution No. 9**

The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 60

The resolution consent calendar was adopted.

Senators Green, Emmons, Walker and Moolenaar offered the following resolution:

Senate Resolution No. 60.

A resolution commemorating June 22, 2011, as Dairy Foods Awareness Day in the state of Michigan.

Whereas, The mission of the Michigan Dairy Foods Association is to support and promote activities designed to improve and maintain the general well-being of the dairy processing industry; and

Whereas, The Michigan Dairy Foods Association is a trade and membership service organization representing all aspects of the dairy processing industry in Michigan. The association's primary purposes are to assure that a strong environment exists for the creation and maintenance of sound public policy as it relates to all aspects of the dairy processing industry

in Michigan; to enhance the position, prestige, and competitive ability of the association's members; and to provide educational programs to enhance members' abilities to process and market fine dairy products, packaged waters, and juices in Michigan and throughout the world; and

Whereas, Dairy Foods Awareness Day was established by the Michigan Dairy Foods Association to demonstrate the importance of the dairy processing industry in Michigan and to promote the 3-A-Day concept of three servings of calcium-rich dairy products per day, which helps ensure a healthy diet. We salute the people of the Michigan Dairy Foods Association for their efforts to expand our awareness and knowledge of the dairy processing industry; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate June 22, 2011, as Dairy Foods Awareness Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the organizers of Dairy Foods Awareness Day as evidence of our esteem.

Senators Bieda, Brandenburg, Hansen, Kowall, Proos, Richardville and Warren were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Pavlov introduced

Senate Bill No. 446, entitled

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending sections 5 and 15 (MCL 124.75 and 124.85).

The bill was read a first and second time by title and referred to the Committee on Education.

Senator Kahn introduced

Senate Bill No. 447, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 9 (MCL 325.1009), as amended by 1998 PA 56.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Kahn introduced

Senate Bill No. 448, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3110 and 4104 (MCL 324.3110 and 324.4104) and by adding section 3134.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Kahn introduced

Senate Bill No. 449, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11525a (MCL 324.11525a), as amended by 2007 PA 75.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Kahn introduced

Senate Bill No. 450, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11108 (MCL 324.11108), as amended by 2001 PA 165.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators Hunter, Young, Johnson, Hood, Smith and Whitmer introduced

Senate Bill No. 451, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3 and 8g (MCL 125.2683 and 125.2688g), section 3 as amended by 2010 PA 277 and section 8g as added by 2010 PA 5.

The bill was read a first and second time by title and referred to the Committee on Economic Development.

Senators Hunter, Green, Pappageorge, Proos, Jones, Marleau, Jansen, Meekhof, Moolenaar, Colbeck, Johnson and Gregory introduced

Senate Bill No. 452, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2006 PA 177.

The bill was read a first and second time by title and referred to the Committee on Transportation.

Senator Johnson introduced

Senate Bill No. 453, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 57b.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Nofs, Bieda, Emmons, Colbeck, Rocca, Young, Schuitmaker, Jones, Hansen, Hildenbrand, Proos, Kahn and Marleau introduced

Senate Bill No. 454, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2002 PA 604.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Rocca, Bieda, Emmons, Colbeck, Young, Nofs, Schuitmaker, Jones, Hansen, Hildenbrand, Proos, Kahn and Marleau introduced

Senate Bill No. 455, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16i and 16o of chapter XVII (MCL 777.16i and 777.16o), section 16i as amended by 2010 PA 95 and section 16o as amended by 2010 PA 130.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Young introduced

Senate Bill No. 456, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 435.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Colbeck, Schuitmaker, Emmons, Bieda, Rocca, Young, Nofs, Jones, Hansen, Hildenbrand, Proos, Kahn and Marleau introduced

Senate Bill No. 457, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending sections 1c, 2, and 3 (MCL 52.201c, 52.202, and 52.203), section 2 as amended by 2004 PA 153 and section 3 as amended by 2006 PA 569.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Jones, Bieda, Emmons, Colbeck, Young, Schuitmaker, Hansen, Hildenbrand, Proos, Kahn and Marleau introduced

Senate Bill No. 458, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 102c (MCL 451.2102c).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Emmons, Schuitmaker, Colbeck, Bieda, Rocca, Young, Nofs, Jones, Hansen, Hildenbrand, Proos, Kahn and Marleau introduced

Senate Bill No. 459, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g, 174a, and 273 (MCL 750.159g, 750.174a, and 750.273), section 159g as amended by 2010 PA 362 and section 174a as amended by 2004 PA 255.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Young introduced

Senate Bill No. 460, entitled

A bill to amend 1968 PA 41, entitled "An act to regulate credit union multiple-party accounts; and to repeal certain acts and parts of acts," (MCL 490.51 to 490.65) by adding section 14b.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Schuitmaker, Rocca, Jones, Nofs, Hansen, Hildenbrand, Emmons, Proos, Kahn and Marleau introduced

Senate Bill No. 461, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2802, 2803, 2804, 5305, 5306, 5314, 5315, 5316, 5410, 5422, 5423, and 5501 (MCL 700.2802, 700.2803, 700.2804, 700.5305, 700.5306, 700.5314, 700.5315, 700.5316, 700.5410, 700.5422, 700.5423, and 700.5501), section 5305 as amended by 2000 PA 464, section 5306 as amended by 2004 PA 532, section 5314 as amended by 2000 PA 469, section 5316 as amended by 2000 PA 54, and section 5423 as amended by 2005 PA 204, and by adding sections 5306a and 5319.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Bieda, Schuitmaker, Emmons, Colbeck, Rocca, Young, Nofs, Jones, Hansen, Hildenbrand, Proos and Kahn introduced

Senate Bill No. 462, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Young introduced

Senate Bill No. 463, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 11 and 11a (MCL 400.11 and 400.11a), as amended by 1990 PA 122.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Schuitmaker, Rocca, Jones, Nofs, Hansen, Hildenbrand, Emmons, Proos, Kahn and Marleau introduced

Senate Bill No. 464, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 11b (MCL 400.11b), as amended by 2000 PA 61.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Hildenbrand, Emmons, Proos, Jones, Marleau and Schuitmaker introduced

Senate Bill No. 465, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2010 PA 95.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Schuitmaker, Jones, Hansen, Emmons, Proos, Kahn and Marleau introduced
Senate Bill No. 466, entitled

A bill to prescribe the senior or vulnerable adult medical alert as the official response to reports of certain missing persons; to provide for the broadcast of information regarding those incidents; and to provide for certain civil immunity.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Jones, Bieda, Emmons, Colbeck, Young, Schuitmaker, Hansen, Hildenbrand, Proos, Kahn and Marleau introduced

Senate Bill No. 467, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 4151, 4153, 4155, and 4165 (MCL 500.4151, 500.4153, 500.4155, and 500.4165), as added by 2006 PA 399, and by adding sections 4158, 4159, 4160, 4161, and 4162 and chapter 41B; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Hansen, Hildenbrand, Emmons, Proos, Jones, Marleau and Schuitmaker introduced

Senate Bill No. 468, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IV (MCL 764.1a), as amended by 2005 PA 106.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Casperson introduced

Senate Bill No. 469, entitled

A bill to authorize the state administrative board to convey a certain parcel of state-owned property in Delta county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Casperson introduced

Senate Bill No. 470, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205).

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senator Casperson introduced

Senate Bill No. 471, entitled

A bill to authorize the department of natural resources to accept and convey certain real property in Dickinson county; to prescribe certain conditions for the acceptance and conveyance; and to provide for disposition of the revenue derived from the conveyance.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senator Moolenaar introduced

Senate Bill No. 472, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36105 and 36106 (MCL 324.36105 and 324.36106), as amended by 2002 PA 75.

The bill was read a first and second time by title and referred to the Committee on Agriculture.

House Bill No. 4553, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2203 and 2205 (MCL 339.2203 and 339.2205), as amended by 2008 PA 490.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

House Bill No. 4584, entitled

A bill to amend 2010 PA 370, entitled "Michigan professional employer organization regulatory act," by amending sections 7, 9, 15, 17, 21, 23, and 27 (MCL 338.3727, 338.3729, 338.3735, 338.3737, 338.3741, 338.3743, and 338.3747).

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

House Bill No. 4666, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36111 (MCL 324.36111), as amended by 2002 PA 75.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Agriculture.

Statements

Senators Bieda, Kahn, Pappageorge and Young asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bieda's statement is as follows:

I rise today to join my colleagues in welcoming the many seniors from across the state who are on the Capitol lawn today. I was brought up during a time when we were taught to respect our elders, to learn from their experiences, and honor the sacrifices they made to help future generations.

Unfortunately, it seems that this lesson has been lost on many individuals as they seek ways to exploit seniors' vulnerability for their own personal gain. It is tragic that seniors today have to worry about physical and financial abuse, especially coming from members of their own family. I have worked much of my legislative career to stop these abuses, including sponsoring legislation earlier this session that provides greater protections for seniors who arrange for power of attorney agreements.

I am proud today to stand with my colleagues from both sides of the aisle on a package of bills now before the Senate that will help curb other instances of elder abuse. In addition to increasing penalties for bad actors, I have a bill that makes it easier for concerned individuals to report cases of abuse. Increased penalties and increased oversight must go hand in hand. I hope that broad support for this legislation can ensure swift passage to provide seniors with the protections they need and deserve.

Michigan's seniors have already contributed so much and continue to contribute as volunteers, community leaders, and drivers of the economy. I'm glad we are able to celebrate our seniors today, and I hope that we carry forward that respect every day in the actions we take in this chamber.

Senator Kahn's statement is as follows:

Yesterday, I began to speak about concerns for the new bridge proposal, its safety, salt mines, and the potential for collapse as identified in a memo from the department. Members last week received an e-mail that gave them some reassurance on this subject. It included an analysis or reanalysis of the existing studies that the department had done. Well, I read the data that was sent to all of us, and I want you to know that, indeed, it does say that there was really no great concern. In fact, it said a "reasonable level of confidence in the bridge's safety."

As you read through that document, however, they qualify their opinion by stating: "Notwithstanding this assessment of the safety, responsibility for the accuracy and completeness of their investigations, analysis, conclusions, and recommendations rests with the original consultants." The people who said catastrophic collapse is a risk. In that document purporting to say that there would be a reasonable level of safety, they also said, "Ultimate decision-making responsibility rests with the partnership and its individual members based on the recommendations received from its consulting teams." The folks who said there is a possibility of catastrophic collapse. How safe is this supposed to be? They answered that question in the very last sentence of their document, and they said, "Their responsibility as analysts and reanalysts was solely to advise the consultants."

I have some questions for the department. Those questions are:

1. Why is consideration being given to locating such a critical structure in an area where sinkholes have occurred over a long period of time near both abutment sites?
2. Can the DRIC geotechnical engineers and geologists guarantee or provide proof this sinkhole activity will not continue and jeopardize the new bridge foundations and span? What about the 2009 sinkhole in Windsor that was part of the DRIC Study?

3. Can anyone verify the brine well and acid deep injection well casings have not caused leaks of hazardous substances into the upper bedrock formations? Who has certified that the long-term impact of the hazardous chemicals has not altered the subsurface feature or the bedrock?
4. For such a critical structure, why does it have to be located on a federally-designated RCRA site?
5. Do the engineers know all of the types of contamination that might be located at that RCRA site, given the historical industrial uses of the Detroit coke, Zug Island steel plant, and other potential contaminating businesses in the past?
6. Is there any risk of the BP liquefied natural gas storage caverns in Windsor impacting bridge operations in the future?
7. How can bridge foundations be designed outside of the influence of caverns and bedrock dissolution areas when no one knows for sure where all of these features are located?
8. Has there been any known sinkhole activity near the existing bridge and tunnels in Detroit?
9. Have any vertical subsidence effects occurred at the I-75/Rouge River Bridge site?

Senator Pappageorge's statement is as follows:

On the same subject as the previous speaker, many of us are receiving letters that say by virtue of the Canadian offer of \$550 million, the state will receive \$2.2 billion more for our roads. That is not the case. Let me speak about how we get road money. The gas taxes we collect are sent to the feds. Then the feds decide how much of it they are going to give back to us, and it is somewhere between 92 percent and 93 percent. This year, if I recall, it was 92.5 percent. Here is the deal: We can't get our own money back until we come up with a 20 percent match. What a wonderful scheme. The feds have figured out a way for us to raise taxes to fix their roads.

Now what the feds said to Michigan is, for the first time, you can use Canadian money for your match, but we are still only going to send you 92.5 percent back. This year, the match was \$147 million. The administration proposed \$50 million of that be Canadian money. I took that out and put Ambassador Bridge credits in. Without involving the question of whether or not we ought to have a bridge, I just want to make sure, whether we have a bridge or not, we get our match. That has been taken care of in the budget.

When folks ask you why are you giving up \$2.2 billion? The answer is no, we're not. There is some possibility of using some Canadian money for match, but we are certainly not getting \$2.2 billion in extra money.

Senator Young's statement is as follows:

I would like to start with a quote. It is a quote from Victor Hugo, and he says, "Winter might be on my head, but eternal spring rests in my heart." I am very overwhelmed and gleeful that my colleagues on the other side of the aisle are so concerned about environmental protections and about where the proposed bridge is to be built. I have a solution that we could all get around in a bipartisan fashion. It is called a community benefits agreement.

The previous Senator was talking about where the bridge is going to be built, people losing their houses, and the concern of it caving in due to the salt mines. That is kind of a doomsday scenario for me. The last time I checked, all these environmental impact studies and things of that nature have already been done in this area and have been cleared. For the sake of argument, let's say if that were to happen, the community benefits agreement is a legally enforceable contract. They also have other provisions involving environmental protections called good neighbors protections. Basically, if something like that were to happen, the community would be restored in whole.

This is an extraordinary opportunity of prosperity. I would really hope that my colleagues on the other side of the aisle can get together with us in a bipartisan fashion and form a bipartisan juggernaut of change. We need to vote for a community benefits agreement, jobs for Detroiters, and health care and health protections for people who need them. We are talking about one of the most polluted areas in the state, if not in the country. We need to also vote for environmental protections not just for the trucks that idle by, but also for soundproofing for the houses when the trucks go through.

This is all an opportunity for us to come together as government and private entity to invest in the Detroit community and make a change and, dare I say, make a difference. Let us all come together no matter what stripe—Republican, Democrat, Independent, Tea Party, whatever—and let's form a common bond and do what is right for the citizens of the great state of Michigan and the fantastic city of Detroit.

Committee Reports

The Committee on Banking and Financial Institutions reported

Senate Bill No. 398, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 3205e (MCL 600.3204 and 600.3205e), section 3204 as amended by 2009 PA 29 and section 3205e as added by 2009 PA 31.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca, Hunter and Smith

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:
Meeting held on Thursday, June 9, 2011, at 1:32 p.m., Room 100, Farnum Building
Present: Senators Booher (C), Nofs, Green, Marleau, Rocca, Hunter and Smith

The Committee on Government Operations reported

Senate Bill No. 397, entitled

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof;" by amending sections 2, 3, 5, 6, 8, 9, and 10 (MCL 423.232, 423.233, 423.235, 423.236, 423.238, 423.239, and 423.240).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Whitmer and Hunter

Nays: Senator Meekhof

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:
Meeting held on Tuesday, June 14, 2011, at 1:00 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Richardville (C), Hildenbrand, Meekhof, Whitmer and Hunter

The Committee on Judiciary reported

Senate Bill No. 320, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 10, 13a, and 14 of chapter XIIA (MCL 712A.10, 712A.13a, and 712A.14), section 10 as amended by 1988 PA 92, section 13a as amended by 2004 PA 475, and section 14 as amended by 2001 PA 211, and by adding sections 14a and 14b to chapter XIIA.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4565, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 2010 PA 171.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:
Meeting held on Tuesday, June 14, 2011, at 2:30 p.m., Room 110, Farnum Building
Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

The Committee on Transportation reported

Senate Bill No. 162, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2009 PA 99, and by adding section 811r.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Gleason and Hood
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 351, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Gleason and Hood
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 4315, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 72.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Gleason and Hood
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, June 14, 2011, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Brandenburg, Pavlov, Gleason and Hood

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, June 14, 2011, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

Excused: Senator Jones

Scheduled Meetings

Agriculture - Thursday, June 16, 9:00 a.m., Room 110, Farnum Building (373-5312)

Appropriations -**Subcommittee -**

Human Services Department - Thursday, June 16, 2:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Economic Development - Thursday, June 16, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

Natural Resources, Environment and Great Lakes - Thursday, June 16, 9:15 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Natural Resources, Environment and Great Lakes and House Natural Resources, Tourism and Outdoor Recreation - Thursday, June 16, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Outdoor Recreation and Tourism - Thursday, June 16, 12:30 p.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 12:08 p.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Thursday, June 16, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

